

substantial angle to the surrounding axes or principal lines, preferably 45°. A cross section must be set out and drawn to show all of the materials as they are shown in the view from which the cross section was taken. The parts in cross section must show proper material(s) by hatching with regularly spaced parallel oblique strokes, the space between strokes being chosen on the basis of the total area to be hatched. The various parts of a cross section of the same item should be hatched in the same manner and should accurately and graphically indicate the nature of the material(s) that is illustrated in cross section. The hatching of juxtaposed different elements must be angled in a different way. In the case of large areas, hatching may be confined to an edging drawn around the entire inside of the outline of the area to be hatched. Different types of hatching should have different conventional meanings as regards the nature of a material seen in cross section.

The Examiner has not specified what in the regulations are improper about the cross-hatching in Fig. 6. Rather, Applicant notes that the hatching is at a substantial angle to the surrounding axes or principal lines, namely 45°. A cross-section is set out and drawn to show all the materials as they're shown in the view in which the cross-section was taken. The Specification notes that coping 40 and reversible track 60 may be made of, inter alia, extruded aluminum or extruded plastic. Insert 90 is disclosed as being made of, inter alia, rubber or plastic. Applicant believes the cross-hatchings are made of regularly spaced complete parallel lines spaced sufficiently apart to enable the lines to be distinguished without difficulty. The cross-hatching of Fig. 6 is consistent with the other figures in the application, in fact is identical. Accordingly, Applicants respectfully request that the Examiner vacate or withdraw the pending objection.

The Examiner has rejected Claims 1 and 6-11 under 35 U.S.C. 112, first paragraph, because the Examiner contends that the disclosure does not enable a track coping assembly without an insert plate. Applicant hereby submits with this Amendment the Affidavit of Bruce Holmes, an individual of ordinary skill in the art of pool covers. In this Affidavit, Mr. Holmes

explains how a skilled artisan would understand the disclosure of the pending patent application to enable the track and coping assembly with or without an insert plate. Accordingly, Applicant respectfully requests that the Examiner vacate or withdraw the rejection under 35 U.S.C. 112, first paragraph.

Responsive to the rejection of Claim 3 under 35 U.S.C. 112, second paragraph, Applicant submits that the term "wedge" is distinct from that of the term "plate." Applicant stated on page 6 of the Response filed July 11, 2005, that insert 90 was referred to as a plate or a wedge. Applicant notes that the drawings support both the recitation of a plate, having no tapered edge, and a wedge, having a tapered edge, are consistent because a wedge with only a small taper would not be visibly discernible from a patent drawing. Patent drawings are not designed for manufacturing specifications, and as the Affidavit of Bruce Holmes attests to, one of ordinary skill would understand that the insert of Fig. 9 would support both a plate having a uniform thickness and a wedge having a slight taper. Accordingly, Applicant requests that the Examiner vacate or withdraw the pending rejection of Claim 3.

Response to the rejection of Claims 1-17 under 35 U.S.C. 102(a/e) as being anticipated by Last, '990, Applicant submits that the instant claims include material structural limitations that distinguish over Last '990. Applicant points out that Claims 1 and 12 defined apertures having different structural characteristics. The drawings of Last '990 only show a track having mirror image apertures. Even in the most favorable light, the disclosure of Last in column 12, lines 42-53, merely state that an artisan would know how to design and specify different cross-sectional configurations having the mirror image apertures. Last contains no teaching or suggestion to have different structural characteristics for each aperture. In fact, the Affidavit of Bruce Holmes supports Applicant's position that one of ordinary skill would not comprehend the disclosure of Last to teach or suggest having non-mirror image apertures in the device of Last.

The invention of the present application distinctly and particularly claims a reversible track with a first opening having defined a first configuration and a second opening defining a second configuration. These configurations are adapted to receive rope arrangements which are different from each other, and thus the structural characteristics of those openings conform to the

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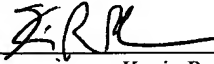
different structural characteristics of the different rope arrangements which may be used in a pool installation.

Applicant submits that the pending objections and rejections have been adequately addressed, and respectfully requests allowance of the pending application.

CONCLUSION

In light of the above arguments, Applicant believes that the application is in allowable form and action toward that end is respectfully requested. If any issues remain that can be resolved by telephone, Examiner is invited to call the undersigned attorney.

In the event that Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally petitions therefor and authorizes that any charges be made to Deposit Account No. 02-0390, BAKER & DANIELS.

<p align="center">CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))</p> <p>I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the address above on the date indicated below.</p> <p>December 7, 2005</p> <p>By:  Kevin R. Erdman</p>
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Respectfully Submitted,

By: 
Kevin R. Erdman, Reg. No. 33,687
Baker & Daniels LLP
300 N. Meridian Street, Suite 2700
Indianapolis, IN 46204
Phone: (317) 237-0300
Fax: (317) 237-1000
E-mail: kevin.erdman@bakerd.com

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